

# **HOUSING MEDIATION PROGRAM FACT SHEET**



Participation in the Housing Mediation Program is offered to parties involved in a housing discrimination complaint filed with the Department of Fair Employment & Housing.

## **What is mediation?**

Mediation is a form of Alternative Dispute Resolution. Mediation is used instead of the traditional investigative and litigation processes. A trained mediator assists the parties in negotiating a resolution of a complaint in an informal process. The mediator does not decide who is right or wrong and has no authority to impose a settlement on the parties. Instead, the mediator helps the parties to explore options and resolve their differences.

## **How can mediation help you?**

The program brings together tenants, landlords, property owners, prospective homebuyers, realtors, lenders and others to quickly resolve complaints of housing discrimination. The result: a saving of time and money for all parties involved in the complaint.

## **Why mediate?**

Because mediation is: \_

**Fair:** The agreement reached is determined by the participants (for example, the tenant and the property owner or landlord), not the mediator.

**Fast:** Mediations are scheduled within a few weeks of the filing of a complaint, avoiding lengthy investigations or court proceedings.

**Collaborative:** Both parties help control the outcome without having a solution imposed upon them.

**Confidential:** All discussions during mediation are strictly confidential and protected by California mediation confidentiality laws. Information revealed during the session cannot be disclosed to anyone, including DFEH's investigation and legal units.

**Economical:** Mediation is an efficient process that avoids time-consuming, costly lawsuits and saves time and money for tenants, landlords, and property owners. There is no cost to either party for the mediation.

**Impartial:** To ensure neutrality, trained mediators who have no involvement with or knowledge of the parties until they receive the case conduct the mediations. The mediator does not decide who is right or wrong and cannot impose a settlement on either party. Instead, the mediator helps both parties to jointly explore different options and reconcile their differences.

## **How does the program work?**

- A trained, neutral mediator will contact both parties about participating in the program on a voluntary basis.
- If both parties agree to mediate, the mediator schedules a time and place for the mediation session. Sessions are usually held within 30 days.

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- During the mediation, both parties are given an opportunity to discuss their concerns and expectations for settling the dispute.
- The mediator helps the parties identify the disputed issues and focus on reaching a mutually satisfactory solution.
- When both parties agree on a resolution, the mediator will help draft a written document listing the specific terms of the agreement.
- If a dispute is not resolved, the complaint will be referred back to the DFEH formal investigative process.

### **When is mediation most effective?**

Mediation is most effective:

- when it is used as early as possible;
- before DFEH conducts a formal investigation of the charges; and
- before the parties harden their positions and are less likely to negotiate a mutual agreement.

### **How were the mediators selected?**

The Department established a list of approved mediators from a pool of responses to the Request for Proposal. Applicants were ranked based on criteria that included mediation experience, training, and knowledge of state housing laws and regulations.

### **What is the “firewall” approach between Enforcement and the Housing Mediation Program?**

The Department set up the Mediation Unit separate from the Enforcement Division, which investigates complaints of discrimination. The Mediation Program Administrators report to a Deputy Director in Sacramento, not to the Enforcement Division. The mediations will be conducted at locations separate from the DFEH district offices.

### **How can I get more information about the program?**

More details about the DFEH Housing Mediation Program are posted on the program’s web site at [www.dfehmp.ca.gov](http://www.dfehmp.ca.gov) or by calling:

Northern California: 2014 T Street, Suite 210  
Sacramento, CA 95814  
Toll-free number (888) 758-9911  
Administrator: Ron Whiten

Southern California: 611 West 6<sup>th</sup> Street, Suite 2120  
Los Angeles, CA 90017  
Toll-free number (866) 870-9456  
Administrator: Nora Baltierrez

This publication can be made available upon request in alternate formats including Braille, large print, computer disk and tape cassette.

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